

REMARKS

Claims 1-16, 18, and 19 are pending. Claims 1 and 18 are independent claims. Reconsideration and allowance of this application are respectfully requested in light of the above amendments and the following remarks.

Claims 1-16 and 18-19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the Gilkes et al. Reference (U.S. Pub. No: 20020180640) in view of Shin et al.

Base claims 1 and 18 recite, in part, "...means for determining whether said first signal strength exceeds a relatively low threshold level so as to determine whether service may be provided... means for receiving said second signal; means for determining a second signal strength of said second received at received at said means for receiving said second signal; means for determining whether said second signal strength exceeds a relatively high threshold level so as to locate the mobile unit within a known distance of said means for transmitting said second signal.

The present invention teaches transmitting two types of signals, a first signal and a second signal, wherein the first signal is used to determine whether service may be provided, and the second signal is used to determine the location of a mobile unit.

The Office Action indicates that Gilkes teaches the second signal. In particular, the Office Action states that Gilkes anticipates all features cited in base claims, except "means for receiving said first signal; means for determining a first signal strength of said first signal at said means for receiving said first signal; means for determining whether said first signal strength exceeds a relatively low threshold level so as to determined

whether service may be provide.” However, Shin teaches this deficiency, thus it would have been obvious in view of the combined references.

Gilkes, as read by the applicants, teaches a method of estimating the location of a mobile unit using a plurality of location markers 1A-4A(See FIG. 6). “For example, in FIG. 6, if only the location marker 1A responds to the low-power message, then the mobile device 5A is located within, in this example, approximately 10 meters of the Cartesian coordinates, X1, Y1, Z1. Hence, the location is estimated based on the power level that was used to transmit the “approximate location? Message, and the location(s) of location markers that responded to the message (Col. 5, paragraph [0044]. Thus, Gilkes teaches estimating the location based on the responses reported by the location markers and its coordinates, and not based on comparing to the signal strength as in the present invention.

Accordingly, contrary to the Office Action, Gilkes fails to teach or show “means for determining whether said second signal strength exceeds a relatively high threshold level so as to locate the mobile unit within a known distance of said means for transmitting said second signal.”

Gilkes further discloses that it does not utilize received signal power measurements as indirect measures of range (Col. 5, Paragraph [0046], line 6-7 of right hand Col.). As such, Gilkes teaches away from the present invention of utilizing the second signal strength to estimate mobile location.

Applicant respectfully submits that Gilkes and Shin do not, either alone or in combination, show or teach transmitting two different signals to estimate the location and availability of service, as recited in base claims.

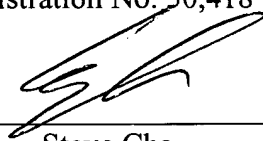
Therefore, Applicant respectfully requests that the Examiner withdraw the above-stated rejections of the claims.

The other claims in this application are each dependent from one or the other of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration or reconsideration, as the case may be, of the patentability of each on its own merits is respectfully requested.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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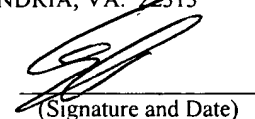
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